



MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, JUNE 13, 2006
HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:15 P.M. - ROOM B-8 (CITY HALL LOWER LEVEL)

CALL PLANNING COMMISSION MEETING TO ORDER

P P P P P P A
ROLL CALL: *Burnett, Livengood, Scandura, Dingwall, Ray, Horgan, Dwyer*

AGENDA APPROVAL

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY SCANDURA TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF JUNE 13, 2006, BY THE FOLLOWING VOTE:

AYES: Burnett, Livengood, Scandura, Dingwall, Ray, Horgan
NOES: None
ABSENT: Dwyer
ABSTAIN: None

MOTION APPROVED

A. PROJECT REVIEW (FUTURE AGENDA ITEMS):

A-1. CONDITIONAL USE PERMIT NO. 04-56/MITIGATED NEGATIVE DECLARATION NO. 04-10 (HOME DEPOT -19101 Magnolia St.) - Ron Santos

Ron Santos, Associate Planner, reviewed the building plans for the project, which would involve the demolition of the Kmart building on site. Santos added that the Taco Bell and the shopping center to the south would remain at the location. He also presented a revised site plan based on the Design Review Board's and staff recommendations. He advised that a response to comments from the public comments received during the 30-day public review period is currently being prepared by staff.

Discussion ensued between the Commissioners and staff regarding the Design Review Board's recommended changes to the project, which involved building size reduction, eliminating parking to the rear of the building, the garden area and landscaping. Santos stated that the building size and garden area would be reduced by approximately 5,000 and 1,000 square feet respectively.

Commissioner Horgan questioned the current traffic study and recommended a traffic light be installed if driveways are combined. She also stated she is encouraged with the new site plan and thanked staff for listening to the concerns of the residents.

Commissioner Livengood requested staff provide delivery hour recommendations and approximate building square footage at the next Commission meeting.

Chair Dingwall requested a drainage and hydrology study. Terri Elliott of Public Works explained that because there is no downstream impact as a result of this project a study is not necessary.

A-2. ZONING MAP AMENDMENT NO. 06-02/ZONING TEXT AMENDMENT NO. 06-04 (MAIN/CREST NEIGHBORHOOD CONSERVATION DISTRICT) - Paul Da Veiga

Paul Da Veiga, Associate Planner, reviewed the proposed amendments affecting the 83 properties included in the proposed overlay district. He stated that City Council directed staff to work with the residents in order to put an overlay district in place. He provided an overview of the proposed overlay district and conservation plan.

Commissioner Burnett asked if it was possible to modify the current zoning with regards to additional new homes. Da Veiga stated that the number of new homes could be reduced in the proposed overlay district.

Discussion ensued regarding zoning changes, lot consolidation and the standards of the proposed overlay district.

Burnett asked if 51% of the residents could ask the City Council for the overlay to be removed. Mulvihill stated that it is a legislative act and 51% of the residents could initiate and Council could repeal.

A-3. GENERAL PLAN CONFORMANCE NO. 06-01 (STREET VACATIONS - ELLIS/GOLDENWEST QUARTERSECTION: SADDLEBACK AND QUARTERHORSE LANES) - Rami Talleh

Rami Talleh, Associate Planner, gave a report of the project and advised of a late communication received.

Chair Dingwall asked when the request from the applicant was received and why this request is so complicated.

Scott Hess explained that the request was received in 1998, however, there was a designated public park in the middle of the quartersection which involved an amendment to the Specific Plan in 2002. The process has been lengthy because it involves a General Plan Conformance, a public hearing before City Council for the street vacations and a CUP to the Planning Commission for the access gates.

Dingwall asked if residents will be advised of all information as it progresses. Staff advised that they would.

Livengood asked if there are multi homeowner associations (HOA's) already in place in the neighborhoods.

Mulvihill stated that there are several HOA's in place and the city would want to have just one master organization covering the entire area.

Hess reiterated that the Specific Plan calls for one Master HOA with a joint agreement.

Discussion ensued regarding date of actual vacation/conveyance, cost to residents and maintenance of streets.

B. STUDY SESSION ITEMS:

B-1. PLANNING COMMISSION WORKSHOP AGENDA – Commissioner Horgan

Commissioner Horgan reviewed the tentative agenda topics as suggested by fellow Commissioners. Discussion ensued regarding which topics would be most beneficial to the Commission. Chair Dingwall directed Commissioner Horgan to finalize the agenda and submit to staff. The workshop has been scheduled for August 2, 2006, at the Central Library (9:00am to 2:00pm).

C. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS) – NONE

D. PLANNING COMMISSION COMMITTEE REPORTS - NONE

E. PUBLIC COMMENTS (Regarding Study Session Portion of Meeting):

Marice White, representative for Home Depot, spoke in favor of the project and their willingness to mitigate resident's concerns.

Kathy Klingenberg, resident, spoke in opposition to the Home Depot project. She addressed concerns such as parking, additional traffic to the area, installation of a new traffic signal at Hyde Park, the loading dock location, delivery hours and potential day laborer gatherings.

Susan Wuerer, resident, Main/Crest Conservation District, voiced her concerns regarding the petitions which were possibly signed by tenants and not property owners and that implementation of a conservation overlay may be too restrictive.

Josef Wuerer, resident, Main/Crest Conservation District, asked if an overlay would negatively impact property values in the area. Staff advised that a study had not been conducted to assess property values regarding the proposed overlay.

Marcus Kemmerer, property owner, Main/Crest Conservation District, stated that as his property is zoned RL it should not be included in this overlay. He explained that the proposed 40% lot coverage would be too restrictive for future building and would negatively affect resale values.

Angela Rainsberger, resident, Main/Crest Conservation District, has circulated a petition to deny the proposed overlay. She stated that many residents, but not actual property owners, signed the original petition. After conducting title searches she has contacted 63 of the property owners; 55 of which are opposed to the overlay.

Joe Da Silva, resident, Main/Crest Conservation District, spoke in opposition to the overlay and submitted a petition of 55 signatures that are also opposed to the project.

Kay Russell, resident, Main/Crest, stated that she had signed the original petition but was not informed of the proposed 40% site coverage. She is now in opposition to the overlay.

Mike Fazio, property owner, Main/Crest, spoke in opposition to the overlay as he feels it will reduce the resale value of the properties.

Eugenia Nevins, resident, Main/Crest, stated she opposes the overlay and feels that it will downgrade the area and property values.

Richard Kaae, resident, Main/Crest, advised he was told by those who circulated the original petition that the overlay was to stop the building of three story homes and nothing was mentioned of the proposed 40% site coverage.

Craig Towers, Applicant, Street Vacations Ellis/Goldenwest Quartersection, spoke in favor of the street vacations and the gating of the neighborhood. He stated that the vacation would improve home values.

Mike Adams, Consultant for the Applicant, Street Vacations Ellis/Goldenwest Quartersection, stated that this is a three-step process that includes a General Plan Conformance, vacation of streets and a CUP for the design of gates and entryways. He advised that he knows the most difficult part of the process is the street vacation and he is available to provide any information or answer questions.

Carrie Thomas, property owner, Ellis/Goldenwest Quartersection, voiced her opposition to the project as she does not want a gated community and feels it is a violation of her rights as a property owner. She also stated that some property owners are unable to pay a large HOA monthly fee if the vacation goes forward.

David Basok, resident, Ellis/Goldenwest Quartersection, stated he does not want the street vacation imposed on property owners who are in opposition of the project. He advised he is a recent property owner in the area and was not advised of this issue.

Martha Morrow, resident, President of Heritage at Huntington Shores HOA, spoke in favor of the project and encouraged others to keep an open mind. She stated that her HOA has voted overwhelmingly in support of the gating and requested that the Planning Commission approve the vacation.

Jim Dellorusso, resident, HB Hamptons at Edwards Hill, stated that he has conducted several surveys and over 90% of his HOA is in favor of the project. He advised there have been eight meetings scheduled regarding this project and all homeowners have been provided with future cost estimates.

F. PLANNING COMMISSION COMMENTS:

Commissioner Burnett – None.

Commissioner Livengood – None.

Vice-Chairperson Scandura – Commissioner Scandura asked when the Target appeal hearing before City Council was scheduled and if a Planning Commissioner would be present. Staff replied that the appeal is scheduled for June 19, 2006.

Chairperson Dingwall – None.

Commissioner Ray – None.

Commissioner Horgan – None.

Commissioner Dwyer – None.

7:00 P.M. – COUNCIL CHAMBERS

CANCELLED: NO PUBLIC HEARINGS

ADJOURNMENT:

Adjourned at 8:45 p.m. to the next regularly scheduled meeting of Tuesday, June 27, 2006.

APPROVED BY:

Scott Hess, Secretary

Robert Dingwall, Chair